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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,845	02/22/2002	Shunji Arai	00862.022527	7541

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

PHU, SANH D

ART UNIT PAPER NUMBER

2682

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/079,845	ARAI, SHUNJI	
	Examiner	Art Unit	
	Sanh D Phu	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 08/27/04.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1–14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tayloe et al (5,095,500), newly-cited.

–Regarding to claim 1, see figure 1, and col. 3, line 17 to col. 6, line 40, Tayloe et al discloses a radio communication system having a plurality of terminals terminal (100) and a base station (106, 116), wherein each of the terminals comprises comprising:

a reception status detector (inherently included in (100)) for detecting a reception status (signal strength, signal quality, etc.) of a signal received from said base station (see col. 4, lines 8-11); and

a notification unit (inherently included in (100)) for notifying said base station of the reception status detected by said reception status detector (see col. 4, lines 8-11),

and wherein the base station comprises:

a connection unit (inherent included in (106) for connecting communications to said plurality of terminals (100) (see figure 1); and

a display control unit (122, 118) for displaying on a display unit an information about the terminals that concurrently have degraded services provided by said base station (which is considered here as not be able to be connected by said connection unit) (see col. 32-40, col. 5, lines 40-49), and for displaying on a display unit the reception status notified from said notification unit of the terminals that could be connected by said connection unit, as having acceptable services provided by said base station (see col. 32-40, col. 5, lines 17-49).

-Regarding to claim 2, Tayloe et al discloses that said terminals detect at least one of a received signal strength and a reception data error rate, as the reception status of the signal received from said base station (see (see col. 4, lines 8-11)).

-Regarding to claim 3, Tayloe et al discloses that wherein the signal received from said base station is a signal obtained upon radio connection between said base station and said terminals (see figure 1).

-Regarding to claim 4, Tayloe et al discloses that said base station issues a reception status notification request during the radio connection with said terminals (by sending signals to said terminals for measuring signal strength and signal quality based on said signals (see col. 4, lines 8-11); and when said terminals receive the reception status notification request from said base station, said notification unit of said terminals notifies said base station of the reception status in response to the reception status notification request (by reporting results of the measurement to said base station (see col. 4, lines 8-11)).

-Regarding to claim 5, Tayloe et al discloses that the signal received from said base station is a notification signal which is always transmitted from said base station and based on which said reception status is obtained (see col. 4, lines 8-10); said terminals inherently have a storage device for capturing, namely, storing, the reception status before being able to send back the reception status to the base station ; and said reception status detector detects the reception status upon reception of the notification signal and notifies said base station of the reception status (see col. 4, lines 8-11).

-Regarding to claim 6, Tayloe et al discloses that said base station: has a storage device (inherently included) for storing the reception status notified from said terminals (for collecting and comparing values of said reception status (see col. 4, lines 33-36)), with linkage to terminal identification information (location) of said terminals (see col. 3, lines 46-50, 55-59); and displays the reception status and the terminal identification information stored in said storage device, linked to each other, on said display unit (see col. 4, lines 38-40, col. 5, lines 17-52).

–Regarding to claim 7, Tayloe et al discloses that said base station: has an extractor (inherently included in (106, 116) for extracting the worst reception status (degraded services) among reception statuses and the terminal identification information (locations of the respective terminals) of the reception status stored in said storage device; and displays the worst reception status and the terminal identification information extracted by said extractor on said display unit (see figure 4, and col. 5, lines 17–52, and col. 6, lines 63 to col. 7, line 3).

–Regarding to claim 8, Tayloe et al discloses that if radio connection cannot be established with said a terminal (indicated by measured bit–error rates), said base station displays the terminal identification information (location) of said that terminal on said display unit (see figure 4).

–Regarding to claim 9, Tayloe et al discloses that said base station has a register (inherently included in (106, 116) for registering and tracking locations of said plurality of terminals by receiving communication message signals from the respective terminals (see col. 3, lines 40–43); and said base station performs call origination, issuance of the reception status notification request,

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and reception of the reception status, on said terminals registered in said register in sequence, repeatedly (see col. 4, lines 8–40).

–Regarding to claim 10, Tayloe et al discloses that wherein said base station has an interface for connection with said display unit (see figure 1).

–Regarding to claim 11, Tayloe et al discloses that said base station and said terminal terminals is a digital cordless phone system (see figure 1, and col. 3, lines 25–33).

–Regarding to claim 12, as similarly applied above to claims 1–11, Tayloe et al discloses a method and associated radio communication system having a plurality of terminals terminal (100) and a base station (106, 116), for displaying a reception status (bit error rates, etc.) of said terminals on said base station, wherein said base station (see figure 1):

attempts to connect to said plurality of terminals (100);

manages an information about the terminals that could not be connected in said attempting, and manages the reception status that could be connected in said attempting (see col. 4, line 8 to col. 5, line 39); and

displaying the information about the terminals and the reception status notified from the terminals, according to said managing (see figure 4, and col. 5, lines 40–51 and col. 6, line 62 to col. 7, line 3).

–Regarding to claim 13, as similarly applied above to claims 1–11, Tayloe et al discloses a communication apparatus (106, 116) (see figure 1) comprising:

a memory (at least (120)) for storing information (bit error rates, etc.) about a plurality of terminals (100);

a radio unit (106, antenna) for connecting to said plurality of terminals;

a display controller (122, 118) for displaying on a display unit said information for the terminals that could not be connected by said radio unit (indicated by bad bit error rates), and for displaying on the display unit a reception status notified from the terminals that could be connected by the radio unit (indicated by good bit error rates) (see figure 4, and col. 5, lines 40–51 and col. 6, line 62 to col. 7, line 3).

–Regarding to claim 14, Tayloe et al discloses that said display controller displays an identification information (locations) about the terminals that could be connected (indicated by good bit error rates) and could not be connected by

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said radio unit (indicated by bad bit error rates), and the reception status (bit error rates) on the display (see figure 4, and col. 5, lines 40-51 and col. 6, line 62 to col. 7, line 3).

Response to Arguments

4. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanh D Phu whose telephone number is (703)305-8635. The examiner can normally be reached on 8:00-16:30.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

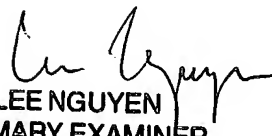
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Sanh D. Phu
Examiner
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SP


LEE NGUYEN
PRIMARY EXAMINER